



City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3019257
Applicant Name: Eric Esparza, City of Seattle Finance and Administrative Services
Address of Proposal: 2189 15th Avenue W

SUMMARY OF PROPOSED ACTION

Land Use Application to allow 3 temporary trailers (1,027 sq. ft.) to be used by the Seattle Animal Shelter. Project includes a temporary construction staging area and restriping existing parking lot, removing 17 spaces with 14 spaces to remain.

The following approvals are required:

Temporary Use – to allow a use not otherwise permitted or not meeting development standards in the zone, pursuant to Seattle Municipal Code (SMC) 23.42.040.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

SUMMARY OF PROPOSED ACTION

This Land Use Application would allow the temporary location of prefabricated trailers containing a temporary animal shelter use on a lot zoned Commercial One (C1-40). The temporary trailers will be located on site while the existing permanent structure is renovated (DPD Permit 6430399). A temporary use permit is required for an animal shelter use, a principal use that is not permitted outright in a C1-40 zone per SMC 23.47A.004. The site is located within the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC). The site is located on the west side of 15th Avenue W between W Armory Way and W Wheeler Street. The temporary structures will be located directly south of the existing permanent structure within an existing parking lot. The majority of the site is zoned C1-40, but a small portion of the site on the south is zoned General Industrial Two (IG2). Sites to the north and east are zoned C1-40. Sites to the south and west are zoned IG2.

The temporary relocation of animal shelter functions will occur during the renovation of the existing building. The trailers will be moved on to the site by way of existing right-of-ways. The three temporary trailers would be delivered to the project site with foundation system, lateral system and ADA compliant ramps and landing installed after delivery. The applicant has specified duration of up to six months. The total area to be used as temporary animal shelter is 1027 square feet. 17 parking spaces will be temporarily removed while the trailers exist on the site. 14 parking spaces will remain during construction. After construction is complete the 17 parking spaces temporarily displaced will be replaced in their current location.

A Temporary Use permit is required for the proposed use as provided for in Seattle Municipal Code (SMC) [23.42.040 C](#).

PUBLIC COMMENT

DPD published a notice of application for the project on December 4, 2014. The comment period ended on December 17, 2014. DPD received no comments.

ANALYSIS

SMC [23.42.040](#) provides that the Director may grant, deny, or condition a temporary use application for uses not permitted or not meeting development standards in the zone where the use is proposed.

SMC [23.42.040 C](#) provides that a Master Use Permit for a period of up to six months may be authorized for any use that does not involve the erection of a permanent structure and that meets the requirements of SMC 23.42.040 A1a-c:

- a. The use shall not be materially detrimental to the public welfare; and
- b. The use shall not result in substantial injury to property in the vicinity; and
- c. The use shall be consistent with the spirit and purpose of the Land Use Code.

A. The use shall not be materially detrimental to the public welfare.

The proposal will not be materially detrimental to the public welfare since there will be no new employees traveling to and from the neighborhood; there are no permanent modifications proposed to the parking lot where the temporary trailer will be located.

B. The use shall not result in substantial injury to the property in the vicinity.

There is no permanent modifications to the site or vegetation, the use will not result in any risk of substantial injury to this property or any within the neighborhood or the vicinity.

C. The use shall be consistent with the spirit and purpose of the Land Use Code.

SMC [23.02.020](#) provides that the purpose of the Land Use Code is to: *“protect and promote public health, safety and general welfare through a set of regulations and procedures for the use of land which are consistent with and implement the City's Comprehensive Plan. Procedures are established to increase citizen awareness of land use activities and their impacts and to coordinate necessary review processes.”* The Land Use Code provides for flexible temporary establishment of uses that are not otherwise allowed in a zone, or which don't otherwise meet use or development standards – all subject to review, public input, and DPD conditioning. As

proposed, DPD recognizes the temporary use to have no likely adverse effect on public health, safety and general welfare. Its temporary establishment occurs through procedures laid out in the Land Use Code, and as such it is consistent with its spirit and purpose.

CONCLUSION

The proposed temporary animal shelter use meet all three criteria associated with temporary uses. The temporary uses should not be materially detrimental to the public welfare, it should not result in substantial injury to properties in the vicinity, and it is consistent with the spirit and purpose of the Land Use Code.

DECISION

DPD **GRANTS** the proposed temporary animal shelter use on the subject site.

CONDITIONS

None required.

Signature: (signature on file) Date: December 29, 2014
Lindsay King, Senior Land Use Planner
Department of Planning and Development

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.